

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF CIVIL AND DEFENSE MOBILIZATION
WASHINGTON 25, D. C.**

OFFICE OF THE DIRECTOR

Identical letter to:

**Honorable Sam Rayburn, Speaker
House of Representatives
Washington 25, D. C.**

**Honorable Richard M. Nixon
The President of the Senate
United States Senate
Washington 25, D. C.**

Transmitted herewith is a draft of a bill "To authorize the establishment of a National Defense Civilian Reserve and to provide for the training of such reservists and their call to active duty in the event of a national emergency declared by the President or the Congress, and for other purposes."

The purpose of the proposed legislation is to authorize the establishment and pre-emergency training of a National Defense Civilian Reserve. Studies and experience have indicated that in the event of a civil defense emergency, or other national emergency, while certain required additional top level positions may be filled through the "Executive Reserve" Program of the Federal Government conducted under the Defense Production Act, a severe shortage of trained and skilled manpower in professional, specialized, and administrative skills at other than the executive level will exist. Enactment of this proposal will provide a system for the training of personnel reserves in order to effectively meet such manpower requirements during a national emergency.

Under Section 2 of the Bill, the President may authorize the heads of Executive Departments or agencies to establish units of a National Defense Civilian Reserve, in accordance with regulations prescribed by the President. Departments or agencies having established units may select and designate persons to serve in such units and provide

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for their pre-emergency training. Members of the Reserve in training status do not become employees or officials of the Federal Government, except for the purposes of coverage under the Federal Employees Compensation Act.

Section 3 of the Bill provides for the President to make appropriate provision for the administration and operation of the Act, by delegation or otherwise. Authority delegated by the President under this section may be redelegated if he so authorizes. Appropriate regulations governing the administration and operation of the Act are provided for.

Section 4 of the Bill authorizes payment of travel expenses and per diem allowances for members of the Reserve in training status. Such expenses are to be paid in accordance with the Travel Expenses Act of 1949, as amended, and Standardized Government Travel Regulations. In addition, provision is made for the payment of reservists in training status when the head of the Department or agency concerned finds that such payment is necessary to avoid hardship or inequity to the individual reservist concerned.

This provision is necessary in order to achieve a status of operational readiness for such reserve units. For example, at some Federal Regional and field offices and at emergency relocation sites of Departments or agencies, without such authority it might be impossible to recruit and train reservists at such geographic locations. Without the immediate availability of such essential operating capacity, the effectiveness and emergency readiness of such Federal offices and relocation sites would be drastically reduced. The pay provisions for such restricted and hardship cases, to enable reservists to undergo the necessary training without undue personal sacrifices on their part, is therefore a necessary arrangement to effectively implement the provisions of the bill. Reservists receiving pay while in training may not exceed 20 per cent of the total authorized strength of the reserve units of such Department.

Section 5 of the Bill provides for appropriate security requirements and safeguards for the operation of reserve units. In training or consultant activities, and in the event of call to active duty, many

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reservists must have access to classified or restricted data involving the national security. Naturally, the requirement of immediate availability during a period of a national emergency will not permit the delay that the post-emergency processing of security clearances would require. Accordingly, arrangements must be made for the pre-emergency security clearance. Full field investigations for members of the National Defense Civilian Reserve must be held to the minimum required for the effective operation of units concerned.

Section 6 authorizes the provisional appointment of members of reserve units to positions in the Executive Department or agency involved. Such provisional appointment is conditioned upon the completion of the prescribed courses of training, meeting the necessary security standards, the taking of the oath of allegiance to the United States, and such other administrative requirements as may be necessary.

Administrative and personnel details must be completed during the pre-emergency period in order that, upon the call of such reservists to active duty, nothing further will be required of such reservists in order to immediately enter upon and discharge their duties.

Members called to active duty under the program do not become permanent employees of the Federal Government. Upon being called to active duty they accordingly acquire no tenure or status in the competitive service, or any other benefits under the Civil Service Commission laws except coverage under the Federal Employees Compensation Act.

Section 7 specifically provides that members of reserve units shall be called to active duty only during a national emergency, except for training or consulting purposes.

A national emergency calling into play the provisions of the bill may be proclaimed by the President or the Congress in a concurrent resolution; or will exist during the period of a civil defense emergency proclaimed by the President pursuant to the Federal Civil Defense Act of 1950, as amended.

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Section 8 defines "Department" as used in the bill to mean (a) each Executive Department; (b) each independent establishment or agency in the Executive Branch; (c) Government owned or controlled corporations; and (d) the Municipal Government of the District of Columbia.

Section 9 of the bill exempts members of the Reserve who are not full-time government employees from the Conflict of Interests statutes.

Section 10 authorizes Departments and agencies to utilize appropriations for the operation of such Departments for the expenses of carrying out the provisions of the bill.

Surveys within the Federal Government have indicated the need for National Defense Civilian Reserve units in the Department of Defense, the Department of State, the Department of Commerce, the Department of Agriculture, the General Services Administration, the Central Intelligence Agency, the Office of Civil and Defense Mobilization, and other Departments.

Enactment of this proposal would increase the budgetary requirements of the Federal Government by \$640,000 for the payment of travel and per diem expenses for the first fiscal year following its enactment. Five year costs for these purposes are estimated at \$3,200,000. Per diem payment of reservists is not expected to exceed \$250,000 per annum, or a total of \$1,250,000 for the first five years after enactment.

This legislative proposal constitutes a portion of the President's program. It is respectfully requested that it be introduced in order that it may be considered for enactment.

Sincerely,

Leo A. Hoegh

Enclosure